



**PLANNING COMMISSION AGENDA
SPECIAL MEETING
MONDAY, JANUARY 26, 2018**

MEETING: 5:00 P.M. – CITY COUNCIL CHAMBERS

1. Call to Order.
2. Roll Call.
3. Consider a Redevelopment Plan for properties described as being part of Sections 2 and 11, all in Township 17 North, Range 8 East of the 6th P.M., Dodge County, Nebraska, and more generally located at 4100 N Broad St., to hereinafter be known as the North Broad Street Redevelopment Plan, including a specific redevelopment project to be known as Nebraska Irrigated Seeds Redevelopment Project.
 - Staff report and presentation
 - Public Hearing
 - Recommendation
4. Adjournment.

THIS MEETING WAS PRECEDED BY PUBLICIZED NOTICE IN THE FREMONT TRIBUNE, THE AGENDA DISPLAYED IN THE LOBBY OF THE MUNICIPAL BUILDING AND POSTED ONLINE AT WWW.FREMONTNE.GOV IN ACCORDANCE WITH THE NEBRASKA OPEN MEETINGS ACT, A COPY OF WHICH IS POSTED CONTINUALLY IN THE COUNCIL CHAMBERS FOR PUBLIC INSPECTION, AND SAID MEETING IS OPEN TO THE PUBLIC. A COPY OF THE AGENDA WAS ALSO KEPT CONTINUALLY CURRENT AND AVAILABLE TO THE PUBLIC IN THE PRINCIPLE OFFICE OF THE DEPARTMENT OF PLANNING, 400 EAST MILITARY AVENUE. THE PLANNING COMMISSION RESERVES THE RIGHT TO ADJUST THE ORDER OF ITEMS ON THIS AGENDA.

**REDEVELOPMENT PLAN
FOR NORTH BROAD STREET REDEVELOPMENT AREA
OF THE CITY OF FREMONT, NEBRASKA**

I. MINOR MODIFICATION TO BLIGHT AND SUBSTANDARD STUDY

On November 28, 2017, the City Council of the City of Fremont, Nebraska (the “City”) declared an area of the City blighted and substandard and in need of redevelopment pursuant to City Council Resolution No. 2017- [REDACTED] (the “Study Area”), based upon a Blight and Substandard Determination Study prepared by Northeast Nebraska Economic Development District on October 16, 2017. The Blight and Substandard Study included a map of the Study Area as Exhibit 1 (the “Study Area Map”), and a list of properties, including the condition and ages of the structures thereon, as Exhibit 2 (the “Property List”). Due to minor inconsistencies in the Study Area Map and the Property List, (a) the Study Area Map included in the Blight and Substandard Determination Study as Exhibit 1 shall be replaced with the map attached hereto as Exhibit “A” and incorporated by this reference, and (b) the Property List included in the Blight and Substandard Determination Study as Exhibit 2 shall be replaced with the property list attached hereto as Exhibit “B” and incorporated by this reference.

II. GENERAL REDEVELOPMENT PLAN

A. Introduction

This Redevelopment Plan for the North Broad Street Redevelopment Area of the City of Fremont, Nebraska (“Redevelopment Plan”) is a guide for redevelopment activities undertaken in the North Broad Street Redevelopment Area to remove or eliminate blight and substandard conditions within the City of Fremont, Nebraska (the “City”).

This Redevelopment Plan has been established in accordance with the requirements of the Nebraska Community Development Law, Neb. Rev. Stat. §§ 18-2101 through 18-2154, as amended (the “Act”) and the Comprehensive Plan of the City. This Redevelopment Plan, as amended from time to time, shall indicate its relationship to definite local objectives as to appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities and other public improvements, and the proposed land uses and building requirements in the redevelopment project area, as required by the Act. Future amendments to this Redevelopment Plan shall identify specific redevelopment projects that will use tax increment financing pursuant to Section 18-2147 of the Act.

B. Statutory Requirements

The Act defines a “redevelopment plan” as “a plan, as it exists from time to time for one or more community redevelopment areas, or for a redevelopment project, which (a) conforms to the general plan for the municipality as a whole and (b) is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the community redevelopment area, zoning and planning changes, if any, land uses, maximum densities, and building requirements.” Neb. Rev. Stat. §18-2103(13).

The Act further defines the required contents of a redevelopment plan: “A redevelopment plan shall be sufficiently complete to indicate its relationship to definite local objectives as to appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities and other public improvements, and the proposed land uses and building requirements in the redevelopment project area, and shall include without being limited to: (1) The boundaries of the redevelopment project area, with a map showing the existing uses and condition of the real property therein; (2) a land-use plan showing proposed uses of the area; (3) information showing the standards of population densities, land coverage, and building intensities in the area after redevelopment; (4) a statement of the proposed changes, if any, in zoning ordinances or maps, street layouts, street levels or grades, or building codes and ordinances; (5) a site plan of the area; and (6) a statement as to the kind and number of additional public facilities or utilities which will be required to support the new land uses in the area after redevelopment. Any redevelopment plan may include a proposal for the designation of an enhanced employment area.” Neb. Rev. Stat. §18-2111.

The Act also states that a redevelopment plan may contain a provision authorizing tax increment financing. Neb. Rev. Stat. §18-2147.

C. Redevelopment Area

The real property included in the redevelopment area and the boundaries of the redevelopment area which is being annexed into the corporate limits of the City and included in this Redevelopment Plan are generally described as follows:

- Tax Lot 12, consisting of approximately 5.99 acres, located in Section 11, Township 17 North, Range 8 East of the 6th P.M., Dodge County, Nebraska (Parcel ID No. 270101773);
- Part of Lots 3 and 4, Block 3, LJ Abbott’s Subdivision, located in Section 2, Township 17 North, Range 8 East of the 6th P.M., Dodge County, Nebraska (Parcel ID No. 270103397); and
- All of Lot 2 and Part of Lots 1, 3, and 4, Block 3, LJ Abbott’s Subdivision, as platted in the Southeast Quarter of the Southwest Quarter of Section 2, Township 17 North, Range 8

East of the 6th P.M., Dodge County, Nebraska (Parcel ID No. 270103404).

The area described above shall be hereinafter referred to as the “North Broad Street Redevelopment Area” or the “Redevelopment Area”. The Redevelopment Area was declared blighted and substandard by the City Council of the City of Fremont by Resolution No. 2017-XXXX, dated November 28, 2017, and based upon, inter alia, a Blight and Substandard Determination Study prepared by Northeast Nebraska Economic Development District on October 16, 2017. A map of the Redevelopment Area is attached hereto as Exhibit “C” and incorporated by this reference.

A portion of the Study Area identified in the Blight and Substandard Determination Study is currently located adjacent to but outside the corporate limits of the City of Fremont. Land outside the corporate limits of the City is not included in the Redevelopment Area at this time and is not eligible for the use of tax increment financing until such land is annexed into the City. Provided, it is the intent of the City of Fremont and the Community Development Agency of the City of Fremont (the “CDA”), that this Redevelopment Plan shall be amended to include that portion of the Study Area outside the corporate limits of the City upon the annexation of such remaining land and that land shall be eligible for the use of tax increment financing as part of a redevelopment project.

D. Land Use Plan

This Redevelopment Plan adopts and incorporates the Comprehensive Plan of the City as it relates to the redevelopment area. The “Guiding Principles” included in the Land Use and Character chapter of the Comprehensive Plan include ensuring the availability of commercial and industrial land to attract new businesses to the community. Further, the policies identified in the Economic Development chapter of the Comprehensive Plan include expansion of the use of economic development tools, specifically including tax increment financing. This Redevelopment Plan is consistent with the Comprehensive Plan in that it ensures the availability of land for commercial and industrial uses, and expands opportunities for the use of tax increment financing which will attract new businesses to the City.

A map showing the existing uses of the real property in and around the City, including the North Broad Street Redevelopment Area, is attached hereto as Exhibit “D” and incorporated herein. A map showing the future uses of the real property in and around the City, including the North Broad Street Redevelopment Area, is attached hereto as Exhibit “E” and incorporated herein. The Future Land Use Map contained in the City’s Comprehensive Plan reflects that the North Broad Street Redevelopment Area should be developed for commercial and industrial uses. This Redevelopment Plan is consistent with that designation in the City’s Comprehensive Plan.

E. Project Specific Requirements

As future redevelopment projects that occur in the North Broad Street Redevelopment Area are identified, this Redevelopment Plan shall be amended to include, at a minimum, the following information with respect to each such redevelopment project, as required by the Act: (1) The boundaries of the redevelopment project area, with a map showing the existing uses and condition of the real property therein; (2) a land-use plan showing proposed uses of the area; (3) information showing the standards of population densities, land coverage, and building intensities in the area after redevelopment if relevant; (4) a statement of the proposed changes, if any, in zoning ordinances or maps, street layouts, street levels or grades, or building codes and ordinances; (5) a site plan of the area; and (6) a statement as to the kind and number of additional public facilities or utilities which will be required to support the new land uses in the area after redevelopment.

This Redevelopment Plan identifies an initial redevelopment project that will occur in the North Broad Street Redevelopment Area. As stated above, additional redevelopment projects shall be identified in amendments to this Redevelopment Plan.

F. Tax Increment Financing

The City and the CDA contemplate the use of tax increment financing ("TIF") for the redevelopment projects identified in this Redevelopment Plan, as amended from time to time. TIF is authorized under Section 18-2147 of the Act, which states that any ad valorem tax levied upon real property, or any portion thereof, in a redevelopment project shall be divided, for a period not to exceed fifteen years after the effective date as identified in the project redevelopment contract or in the resolution of the authority authorizing the issuance of bonds pursuant to the Act, as follows:

- (a) That portion of the ad valorem tax which is produced by the levy at the rate fixed each year by or for each public body upon the redevelopment project valuation shall be paid into the funds of each such public body in the same proportion as are all other taxes collected by or for the body ("Base Tax Amount"); and
- (b) That portion of the ad valorem tax on real property, as provided in the redevelopment contract or bond resolution, in the redevelopment project in excess of the Base Tax Amount, if any, (referred to as the "Incremental Tax Amount") shall be allocated to and, when collected, paid into a special fund of the authority to be used solely to pay the principal of, the interest on, and any premiums due in connection with the bonds of, loans, notes, or advances of money to, or

indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such authority for financing or refinancing, in whole or in part, the redevelopment project.

For any redevelopment project in the North Broad Street Redevelopment Area that will utilize TIF, this Redevelopment Plan shall be amended to identify the redevelopment project and shall provide sufficient information to support a determination that: (i) the redevelopment project as designed would not be economically feasible without the use of TIF; (ii) the redevelopment project as designed would not occur in the North Broad Street Redevelopment Area without the use of TIF; and (iii) the costs and benefits of the redevelopment project are in the long-term best interest of the City.

G. Conclusion

The North Broad Street Redevelopment Area is in need of redevelopment to remove blight and substandard conditions. This Redevelopment Plan, as amended from time to time, shall guide and assist the Community Development Agency of the City of Fremont and the City in their efforts to foster and facilitate redevelopment activities pursuant to the Nebraska Community Development Law.

III. NEBRASKA IRRIGATED SEEDS REDEVELOPMENT PROJECT

A. Project Site

The purpose of this Article III of the Redevelopment Plan is to identify the first specific project within the North Broad Street Redevelopment Area that will cause the removal of blight and substandard conditions on the site located in the City of Fremont, Nebraska described on the attached and incorporated Exhibit “F”.

The Project Site is in need of redevelopment. The CDA has considered whether redevelopment of the Project Site, and specifically, the Nebraska Irrigated Seeds Redevelopment Project (the “Project”), will conform to the General Redevelopment Plan set forth in Article II, and the coordinated, adjusted, and harmonious development of the City and its environs. In this consideration, the CDA finds that such redevelopment of the Project Site will promote the health, safety, morals, order, convenience, prosperity, and the general welfare of the community including, among other things, the promotion of safety from fire, the promotion of the healthful and convenient distribution of population, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary and unsafe dwelling accommodations or conditions of blight.

The Project Site generally consists of underdeveloped land located in the North Broad Street Redevelopment Area. The blighted condition of the Project Site and the lack of adequate utilities and infrastructure to serve the Project Site contribute to its inability to attract development. The upfront costs associated with necessary infrastructure makes development of the Project Site not feasible. The redevelopment of the Project Site pursuant to this Article III of the Redevelopment Plan will include eligible expenditures under the Act and will further the purposes of the Act in conformance with the Redevelopment Plan.

B. Description of Project

Nebraska Irrigated Seeds, LLC (the “Redeveloper”) proposes to redevelop the Project Site. The Project will consist of the construction of an approximately 100,000 square foot temperature-controlled warehouse for seed storage, including a small office space, and associated improvements, on the Project Site. As part of the Project, the CDA shall capture available tax increment revenues generated by redevelopment of the Project Site to assist in paying for public improvements listed as eligible expenditures under the Act in the Redevelopment Area, including, but not limited to: site acquisition, site preparation, installation and extension of public utilities, energy efficiency improvements, landscaping in the public right-of-way, and other improvements deemed feasible and necessary in support of the public health, safety and welfare which qualify as eligible expenditures for public improvements under the Act. The specific public improvements for which the available tax increment revenues generated by the Project will be used will be described in more detail in the Redevelopment Agreement for this Project.

The redevelopment of the Project Site pursuant to this Article III of the Redevelopment Plan will remove blight and substandard conditions on the Project Site and will further the purposes of the Act in conformity with the Redevelopment Plan.

C. Statutory Elements

As described above, the Project envisions the capture of the incremental taxes generated by the Project on the Project Site to pay for eligible expenditures under the Act. Attached as Exhibit “G” and incorporated herein by this reference is a consideration of the statutory elements under the Act. In addition, the Cost-Benefit Analysis for the Project shall be attached to this Plan as Exhibit “H” prior to consideration by the City Council of the City of Fremont.

Exhibits:

“A” – Study Area Map

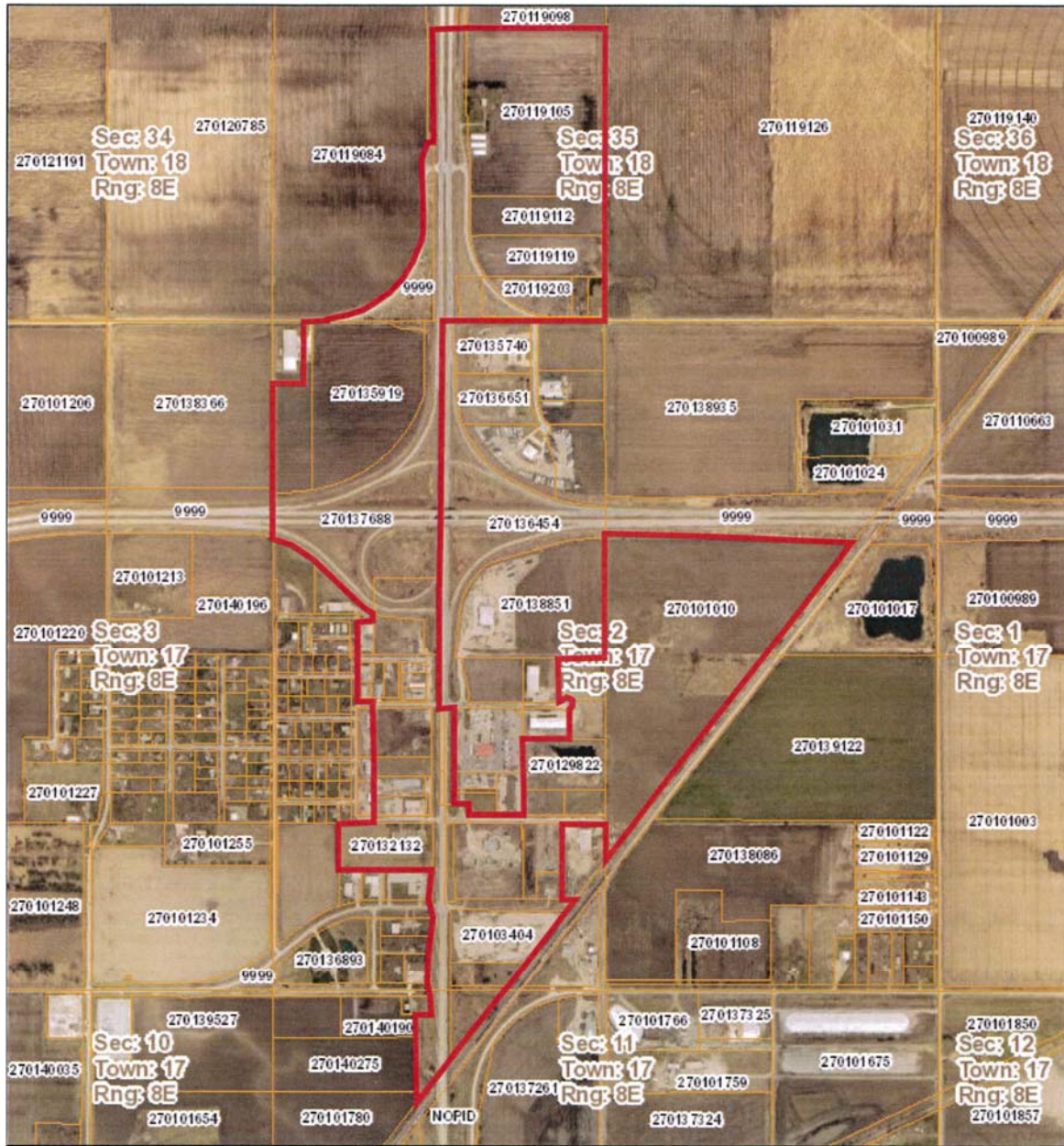
“B” – Property List

“C” – Map of North Broad Street Redevelopment Area

“D” – Existing Land Use

“E” – Future Land Use
“F” – Project Site
“G” – Statutory Elements
“H” – Cost-Benefit Analysis

EXHIBIT "A" STUDY AREA MAP



January 3, 2018

Legend

- Parcels
- Sections

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

1:18,056

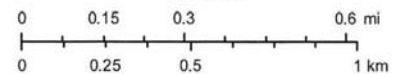


EXHIBIT "A"

EXHIBIT "B"
PROPERTY LIST

Parcel ID	Structure Type/Condition		Year	Age	
270103383	Service Repair Garage	Fair	1975	42	
270103383	Service Repair Garage	Fair	1975	42	Vacant Land
270103873	Storage Warehouse	Fair	1975	42	270101010
270103873	Office Building	Fair	1975	42	270101066
270103873	Equipment Storage Building	Excellent	2015	2	270101773
270108724	Office Building	Good	2005	12	270103397
270108724	Office Building	Good	2005	12	270103404
270108731	house/garage	Fair	1900	117	270108738
270108731	Retail Store	Good	1998	19	270119112
270108731	Storage Warehouse	Good	1998	19	270119119
270108745	Storage Warehouse	Fair	1975	42	270119203
270108745	Retail Store	Good	1975	42	270129787
270108745	Storage Warehouse	Fair	2003	14	270129808
270108752	Retail Store	Fair	1970	47	270129815
270109025	Office Building	Fair	1965	52	270129822
270109025	Office Building	Fair	1965	52	270135919
270109025	Storage Warehouse	Poor	1965	52	270136355
270109032	Storage Warehouse	Fair	1978	39	270136355
270109039	Storage Warehouse	Good	1962	55	270136454
270109046	Storage Garage	Fair	1970	47	270136457
270109053	Storage Warehouse	Fair	1974	43	270137629
270109053	Storage Warehouse	Fair	1974	43	270137688
270109053	Storage Warehouse	Fair	1974	43	270138021
270109060	Storage Warehouse	Fair	1980	37	270138336
270109067	Storage Warehouse	Good	1990	27	270138933
270118552	house/garage	Good	1958	59	270139773
270119105	Farm Utility Arch-rib, Quon.	Poor	1958	59	270139774
270119105	Farm Utility Arch-rib, Quon.	Poor	1958	59	
270119105	Farm Utility Arch-rib, Quon.	Poor	1958	59	
270119105	House	Good	1958	59	
270119196	garage	Fair	1960	57	
270119196	house/garage	Good	1960	57	
270132132	Storage Garage	Fair	1980	37	
270132132	Church	Good	1980	37	
270140194	tower/building	Excellent	2009	8	
	Average Age			42.14	
Total	e g	f	p	d	
35	2	11	18	40	
100.00%	5.71%	31.43%	51.43%	11.43%	

EXHIBIT "D"
EXISTING LAND USE

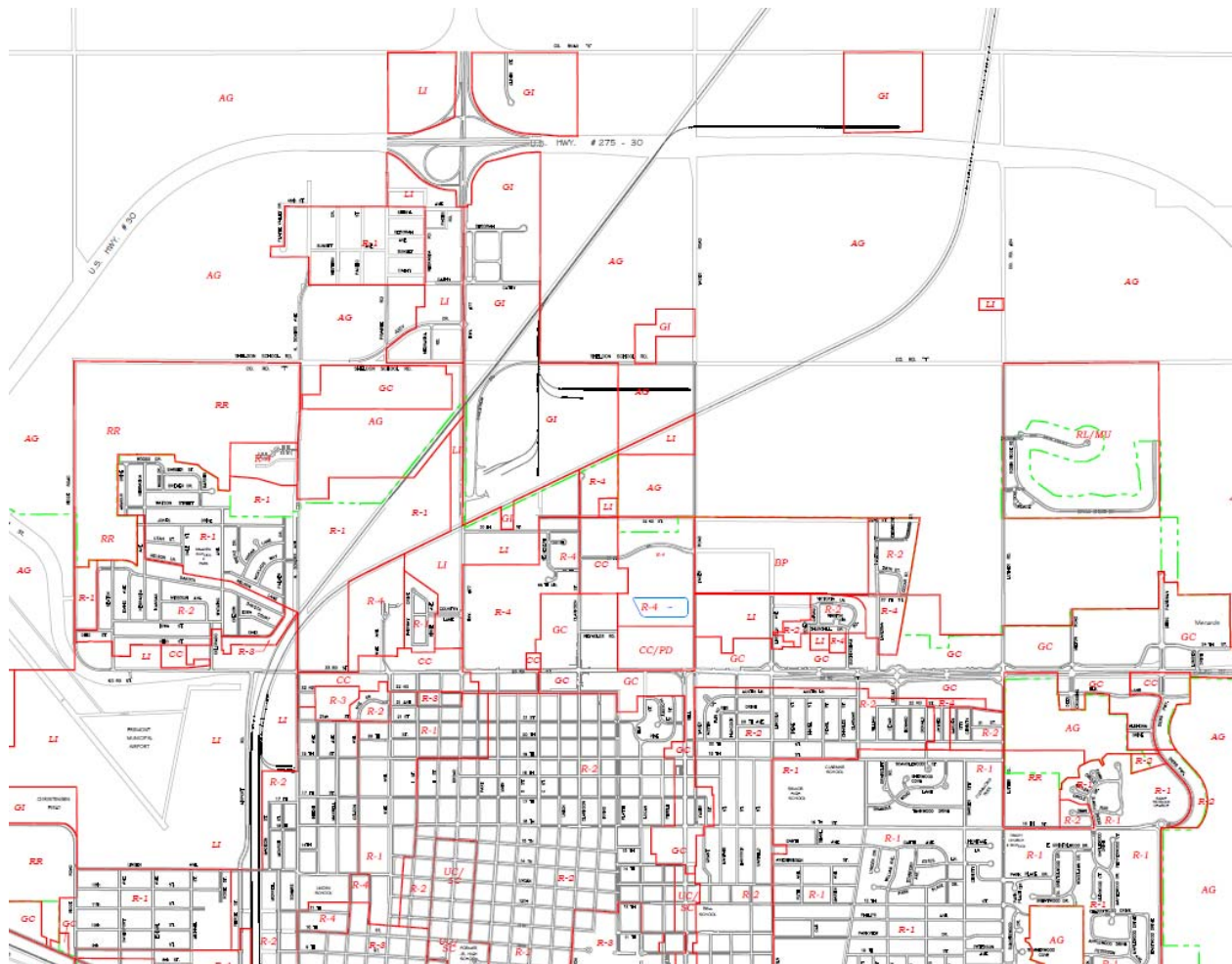


EXHIBIT "D"

EXHIBIT "E"
FUTURE LAND USE

Map 2.1. , Future Land Use Plan

Adopted

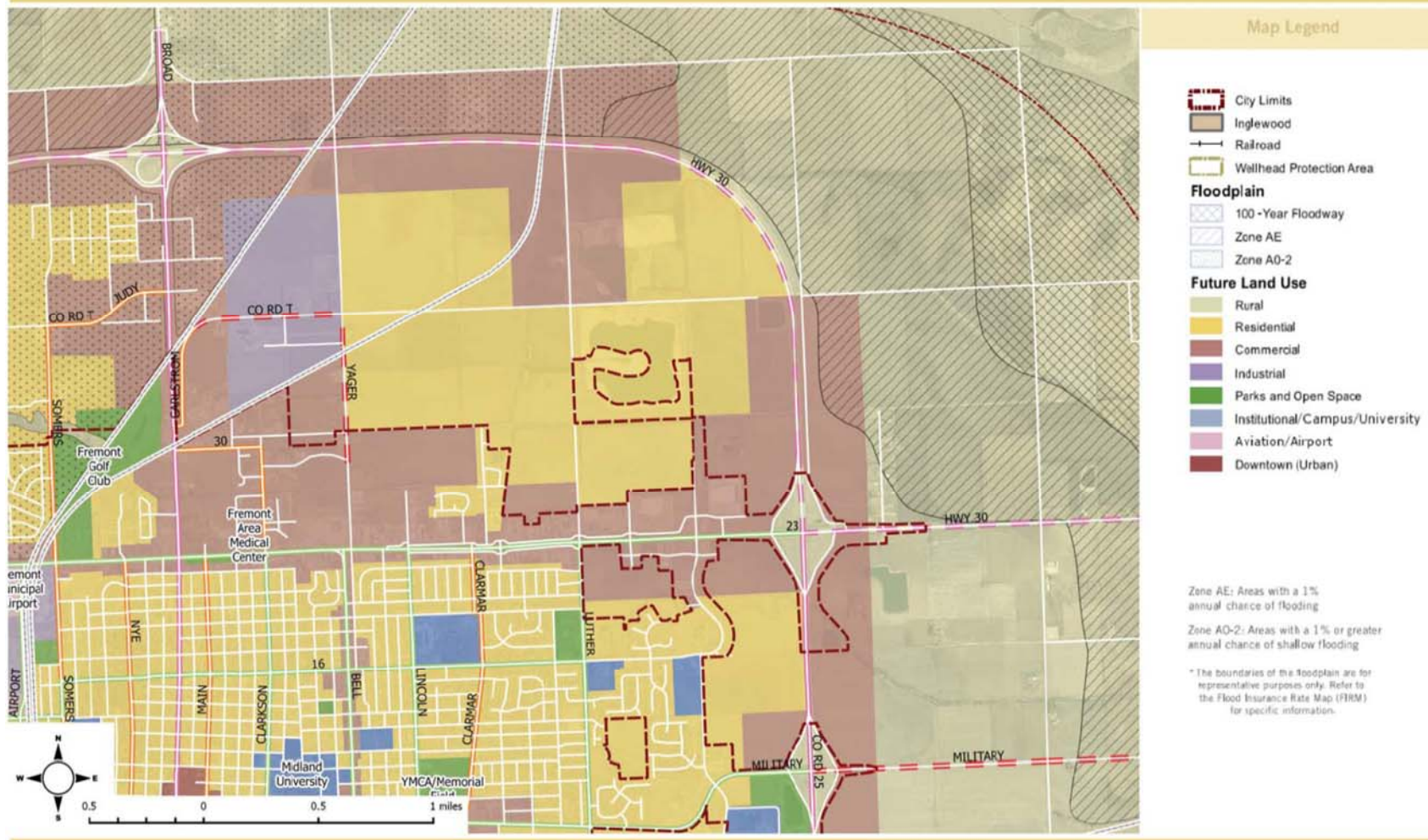


EXHIBIT "E"

EXHIBIT “F” PROJECT SITE

[Add legal description]

All of Lot 2 and Part of Lots 1, 3, and 4, Block 3, LJ Abbott’s Subdivision, as platted in the Southeast Quarter of the Southwest Quarter of Section 2, Township 17 North, Range 8 East of the 6th P.M., Dodge County, Nebraska (Parcel ID No. 270103404).

EXHIBIT “G”
STATUTORY ELEMENTS

A. Property Acquisition, Demolition and Disposal

No public acquisition of private property or relocation of families or businesses is necessary to accomplish the Project. The Redeveloper owns or controls the Project Site.

B. Population Density

The proposed Project includes the construction of an approximately 100,000 square foot temperature-controlled warehouse on undeveloped land, which will not significantly affect population density in the project area.

C. Land Coverage

The Project will consist of construction of an approximately 100,000 square foot refrigerated warehouse on the approximately [REDACTED] acre Project Site. The Project will meet the applicable land-coverage ratios and zoning requirements as required by the City of Fremont.

D. Traffic Flow, Street Layouts and Street Grades

The Project is only anticipated to minimally increase traffic to and from the Project Site. As a result, no changes in street layout or street grade are anticipated.

E. Parking

Redevelopment of the Project Site will include construction of a parking lot that will meet or exceed the parking requirements set forth in the applicable zoning district.

F. Zoning, Building Code and Ordinances

The Project Site is located within the GI General Industrial District, and the proposed Project is a permitted use in said district. No additional zoning, building code or ordinance changes will be necessary for the Project.

**EXHIBIT “H”
COST-BENEFIT ANALYSIS**

[Attach]

4830-4203-7077, v. 2

EXHIBIT “H”

**COMMUNITY DEVELOPMENT AGENCY
CITY OF FREMONT, NEBRASKA
NEBRASKA IRRIGATED SEEDS REDEVELOPMENT PROJECT
COST-BENEFIT ANALYSIS
(Pursuant to Neb. Rev. Stat. § 18-2113)**

The Nebraska Irrigated Seeds Redevelopment Project (the “Project”) will consist of construction of an approximately 100,000 square foot refrigerated warehouse and associated improvements, as more particularly described on Exhibit “A”. The cost-benefit analysis for the Project, which will utilize funds authorized by Neb. Rev. Stat. § 18-2147, can be summarized as follows:

1. Tax shifts resulting from the approval of the use of funds pursuant to Section 18-2147:

a.	Estimated Base Project Area Valuation:	\$154,500
b.	Estimated Completed Project Assessed Valuation:	\$4,000,000
c.	Estimated Tax Increment Base (b. minus a.):	\$3,845,500
d.	Estimated Annual Projected Tax Shift:	\$76,000

Note: The estimated Tax shift is based on assumed values and levy rates; actual amounts and rates will vary from those assumptions, and it is understood that the actual tax shift may vary materially from the projected amount. The estimated tax levy for this analysis is 1.98324, which is the 2016 Dodge County tax levy, and will likely change for 2017.

2. Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of the redevelopment project:

a. Public infrastructure improvements and impacts:

The Redeveloper anticipates expenditures of approximately \$5,000,000 for the acquisition, construction and installation of the Project and related and ancillary improvements. It is proposed that approximately \$785,000 of these expenditures will be financed with the proceeds of tax increment financing indebtedness, with the remaining balance to be paid by the Redeveloper. In addition, it is anticipated that the CDA will capture a portion of the TIF sum to assist in the payment of public costs associated with the Project. The sources and uses of the TIF indebtedness will be more particularly set forth in the Redevelopment Agreement for this Project. It is anticipated that eligible uses of the TIF indebtedness may include the following: site acquisition, site preparation, architectural and engineering fees, public utility extension and installation, energy enhancements, landscaping, and other improvements deemed feasible and necessary in support of the public health, safety, and welfare. All expenditures financed by tax increment financing indebtedness shall be eligible in accordance with the requirements of the Nebraska Community Development Law. It is not anticipated that the Project will have a material adverse impact on existing public infrastructure. The Project improvements will materially benefit other property in and around the City.

b. Local Tax impacts (in addition to impacts of Tax Shifts described above):

The Project will create material tax and other public revenue for the City and other local taxing jurisdictions. While the use of tax increment financing

will defer receipt of a majority of new ad valorem real property taxes generated by the Project, it is intended to create a long term benefit and substantial increase in property taxes to the City and other local taxing jurisdictions. Since the Project Site was not, until recently, within the corporate limits of the City, the City has not historically relied on tax revenue from the Project Site, and the City would be unlikely to realize additional ad valorem taxes in the near future without the Project because the Project Site and surrounding areas are unlikely to be developed without the utility improvements being constructed as part of the Project. The Project should also generate immediate tax growth for the City. The Project will include a significant amount of personal property, such as refrigeration and other equipment, that will be on the property tax rolls upon its acquisition and installation.

3. Impacts on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project:

It is anticipated that the Project will have a material positive impact on employers and employees of firms locating or expanding within the boundaries of the redevelopment project, because the Project includes extension and installation of public utilities, which will attract additional redevelopers to the area of the redevelopment Project. Further, the Project will likely require products and services from firms located within the boundaries of the area of the redevelopment project.

It is not anticipated that the Project will have a material adverse impact on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project.

4. Impacts on other employers and employees within the City and the immediate area that is located outside of the boundaries of the area of the redevelopment project:

The Project should have a material positive impact on private sector businesses in and around the area outside the boundaries of the redevelopment project. The Project is not anticipated to impose a burden or have a negative impact on other local area employers. The Project should also increase the need for services and products from existing businesses. The Project may require the purchase of janitorial services, office and hardware supplies, and other similar products and services.

5. Other impacts determined by the agency to be relevant to the consideration of costs and benefits arising from the redevelopment project:

The Project is anticipated to create up to [REDACTED] jobs in the City. When secondary employment effects in other employment sectors are added, the total employment effects are expected to be even higher.

There are no other material impacts determined by the agency relevant to the consideration of the cost of benefits arising from the Project.

6. Cost Benefit Analysis Conclusion:

Based upon the findings presented in this cost benefit analysis, the benefits outweigh the costs of the proposed Project.

Approved by the Community Development Agency, City of Fremont this ____ day of February, 2018.

_____, Chairman

_____, Secretary

DRAFT

EXHIBIT A

PROJECT INFORMATION

The Project will be undertaken on the real estate legally described as:

(the “Project Site”). The Project shall consist of the following Private Improvements and Public Improvements:

- (a) **Private Improvements.** The private improvements to be constructed by the redeveloper on the Project Site include a new approximately 100,000 square foot refrigerated warehouse, office, and associated improvements on the Project Site.
- (b) **Public Improvements.** Land acquisition, extension of public utilities, site preparation, energy enhancements, landscaping and other eligible public expenditures under the Act as determined in the Redevelopment Agreement; paid for, in part, by the tax increment generated by the private improvements.